

REMARKS

This RCE filing is further to our Teleconference with Examiner Smith on February 23, 2005 wherein we reviewed and clarified the rather complex priority chain in the instant application and discussed other minor matters noted below.

5 During that teleconference an informal flow-box-flow chart was discussed to aid in visually understanding the priority claim chain. Clearly the visual reference clarified the written language and aided in the parties agreement without providing any new or different information.

As a result of this teleconference, Applicant's reached an understanding with Examiner Smith that the priority chain extended to include US Pat. No. 6,318,218, sufficient to overcome the sole
10 remaining rejections over the '561 and 106 patents.

As part of our conference, a request was made to reword the priority claim chain noted above, and this amendment to the specification has been provided and supported by a replacement Application Data Sheet. Due to the complex nature of the priority chain, the description is broken into separate sections.

15 As a further part of our conference, Examiner Smith noted the existing priority confusion in US Ser. No. 09/901,305 (Examiner Meislin), and requested clarification and that a responsive amendment be filed to resolve the priority matter in the parent application. On March 24, 2005, this Office submitted a complete responsive amendment via facsimile, addressing each issue raised, and satisfying the priority chain confusion raised by the Examiner. Prior to this submission, Marvin
20 Feldman conducted a teleconference with Examiner Meislin wherein she requested an amendment to the specification clarifying the priority claim in the specific form provided. As a consequence, Applicants now propose that each issue raised by Examiner Smith has been addressed and satisfactorily resolved.

No further amendments to the claims have been made. Claims 6-13 remain pending in the
25 application. No new matter has been added.

In view of the above clarifications, Applicants believe that the present application is now in

condition for allowance and earnestly request notice to that effect.

2. REJECTION OF CLAIMS 6-13 UNDER 35 U.S.C. §102(b)

5. The remaining rejections under 102 were addressed in the teleconference and are overcome by the language clarifications provided herein. Each priority claim was previously supported in a declaration.

3. REQUEST FOR A CORRECTED FILING RECEIPT

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Applicants respectfully request a corrected Filing Receipt, correctly showing the entire clear and timely claim for priority supported by the instant declaration, revised Application Data Sheet, and amendment to the specification. The present filing receipt contains several minor errors that have been corrected and clarified herein.

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4. CONCLUSION

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Applicants respectfully propose that they have overcome each and every rejection and possible objection noted in the instant action and that the application stands in condition for allowance.

While no fees are believed due with the instant submission (other than the RCE fee), the Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 10-0100.

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In light of the expedited examination practice, if Examiner Smith believes that a telephone conference would be of value in placing the application in condition for allowance, or otherwise speeding issuance, please call the undersigned counsel at the number listed.

An early and favorable action is respectfully solicited.

U.S. Patent Application of ANDERSON et al.
Serial No.: 10/673,604 - Art Unit: 3723 - Examiner: James G. Smith

Dated:

Respectfully submitted,

March 31, 2005

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